

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N # 2006-3398-6IF

November 9, 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et. seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the State of South Carolina by

Chuck Schmitzer
2102 SW Perry Terrace
Stuart, FL 34997

for a permit to remove accumulated silt in the head of a cove in

HARTWELL LAKE

Located at 200 Sloans Ferry Road in Anderson County, South Carolina
(Latitude 34.487035 Longitude -82.804415)

In order to give all interested parties an opportunity to express their views

N O T I C E

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, DECEMBER 11, 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the removal of accumulated silt by trackhoe in the head of cove on Lot 4. In detail, the applicant proposes to remove sediments that have accumulated to create a depth that averages 6-9 feet. The applicant proposes to remove a total of 1,100 cubic yards of sediment and dispose of the material on an upland site. The project purpose is to increase accessibility to navigable waters.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

November 9, 2006

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The work shown on this application must be determined consistent with applicable provisions of the South Carolina Construction in Navigable Waters Permit Program. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State navigable waters permit must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

Preliminary review of the scope of work sought by this application indicates that State and Federal permits should be processed concurrently. If the Federal permit is issued in advance of the State's a special provision will be included in the Federal permit expressing the endorsement of the District Engineer to any revisions or conditions subsequently imposed by the State permit.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact freshwater habitat well inland of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, the District Engineer has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Kristin Riegel at 803-253-3903.

Location of Proposed Excavation/Dredging

Hartwell Project

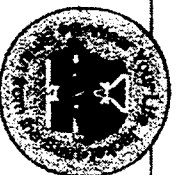
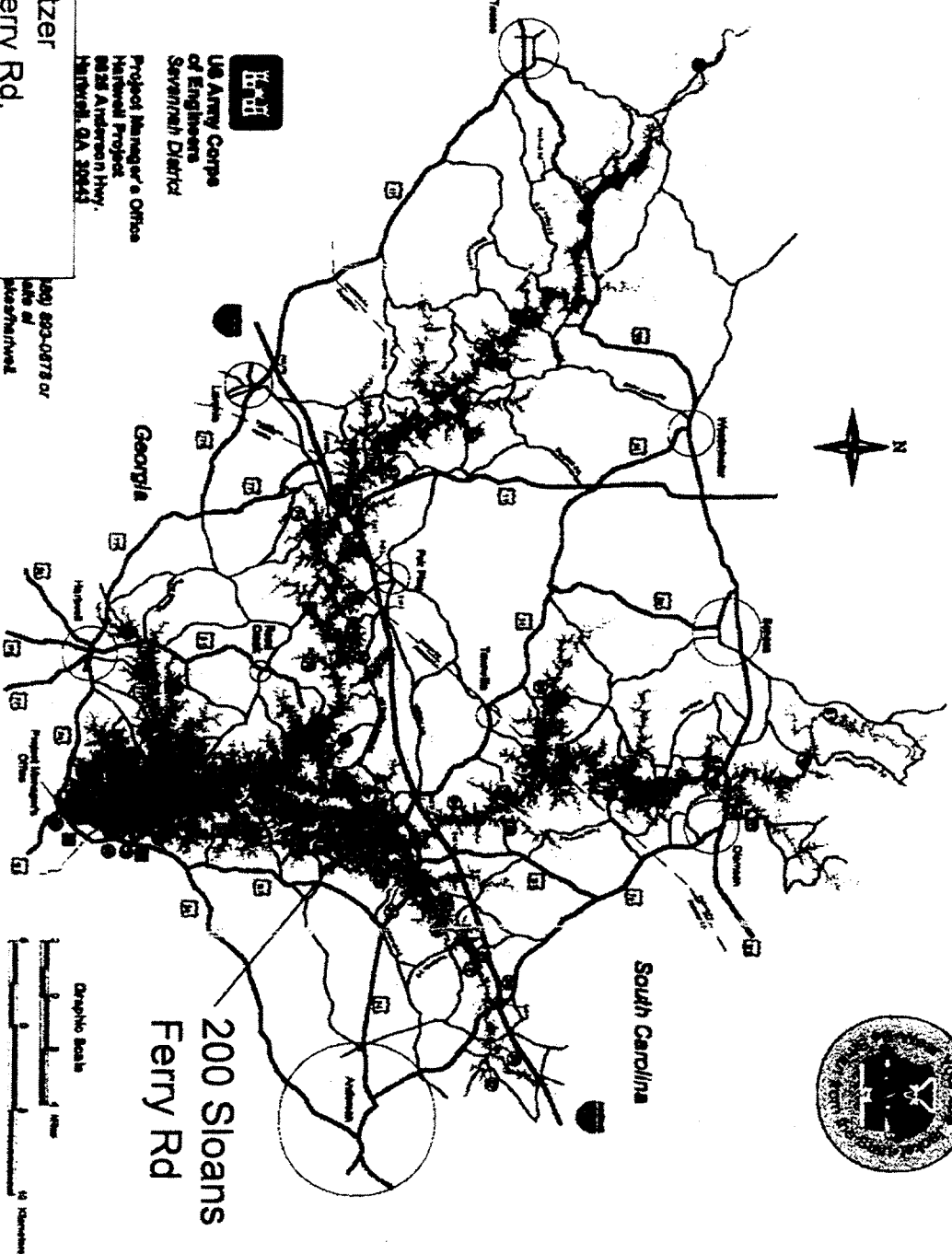
Cope Recreation Areas

- 1 Hartwell Dam
- 2 Skating Pond
- 3 Jarrett
- 4 Richmond Creek
- 5 River Ponds
- 6 Green Pond
- 7 Homea Path
- 8 Denver
- 9 Asbury
- 10 Eighteen Mile Creek
- 11 Twelve Mile
- 12 Lawrence Bridge
- 13 Main Creek
- 14 Friendship
- 15 Townville
- 16 Camp Creek
- 17 Brylee
- 18 Apple Island
- 19 Double Springs
- 20 Weston Island
- 21 Olmsted Ferry
- 22 Durham
- 23 Fair Play
- 24 Chatsworth
- 25 Mullins Ford
- 26 Taber
- 27 Walker Creek
- 28 Stephens County
- 29 Spring Branch
- 30 Jankins Ferry
- 31 Poplar Springs
- 32 Rock Springs
- 33 Mary Ann Island
- 34 Crawford's Ferry
- 35 Carvers Ferry
- 36 New Prospect
- 37 Cleveland
- 38 Gun Branch
- 39 Long Point
- 40 Duran Branch
- 41 Powdering Creek
- 42 Elrod Ferry



US Army Corps
of Engineers
Severnath District

Project Manager's Office
Hartwell Project
6625 Anderson Hwy.
Hartwell, GA 30443



log 800-0678 or
site at
Hartwell

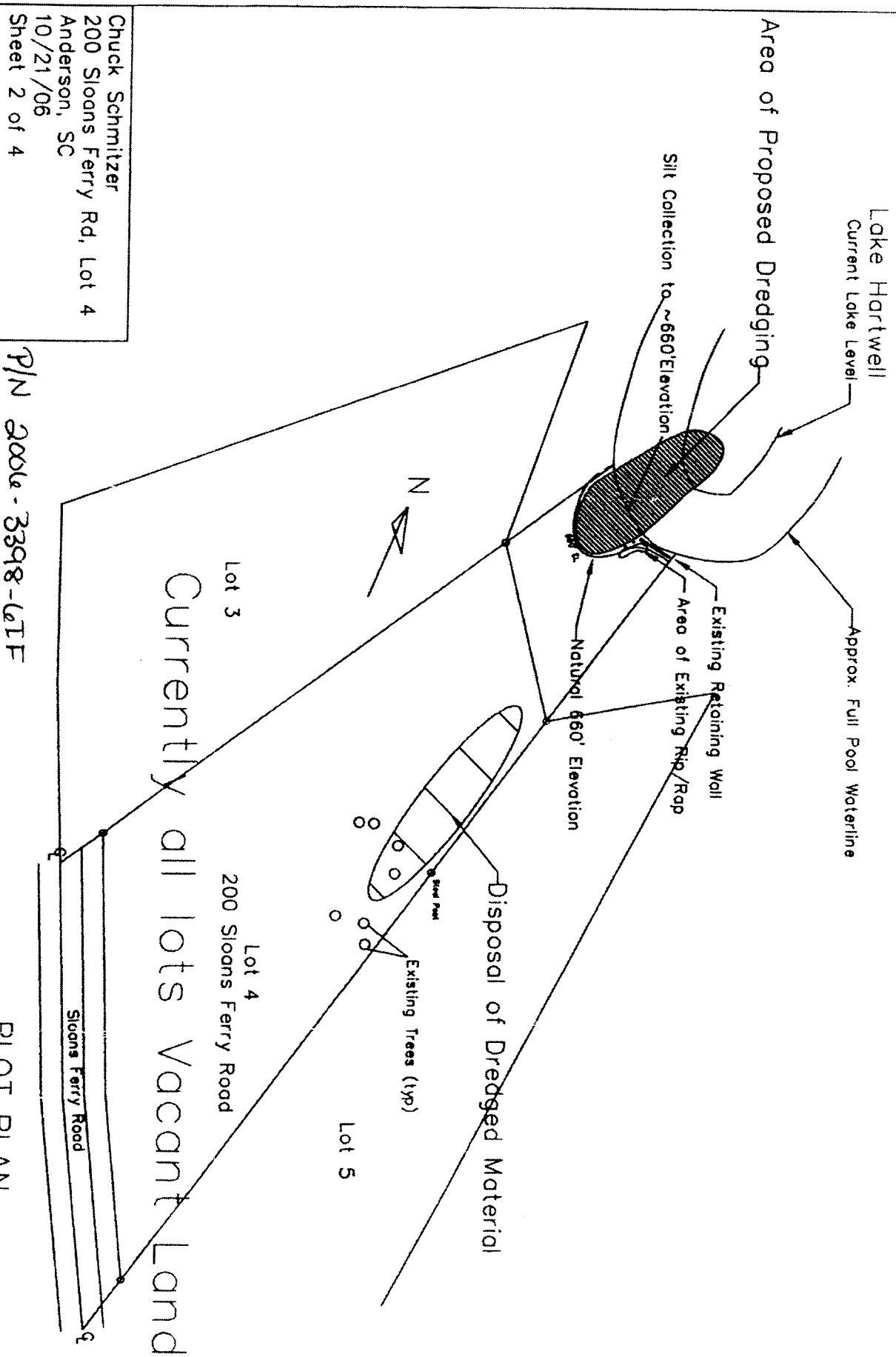
log 800-0678 or
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Hartwell

200 Sloans
Ferry Rd

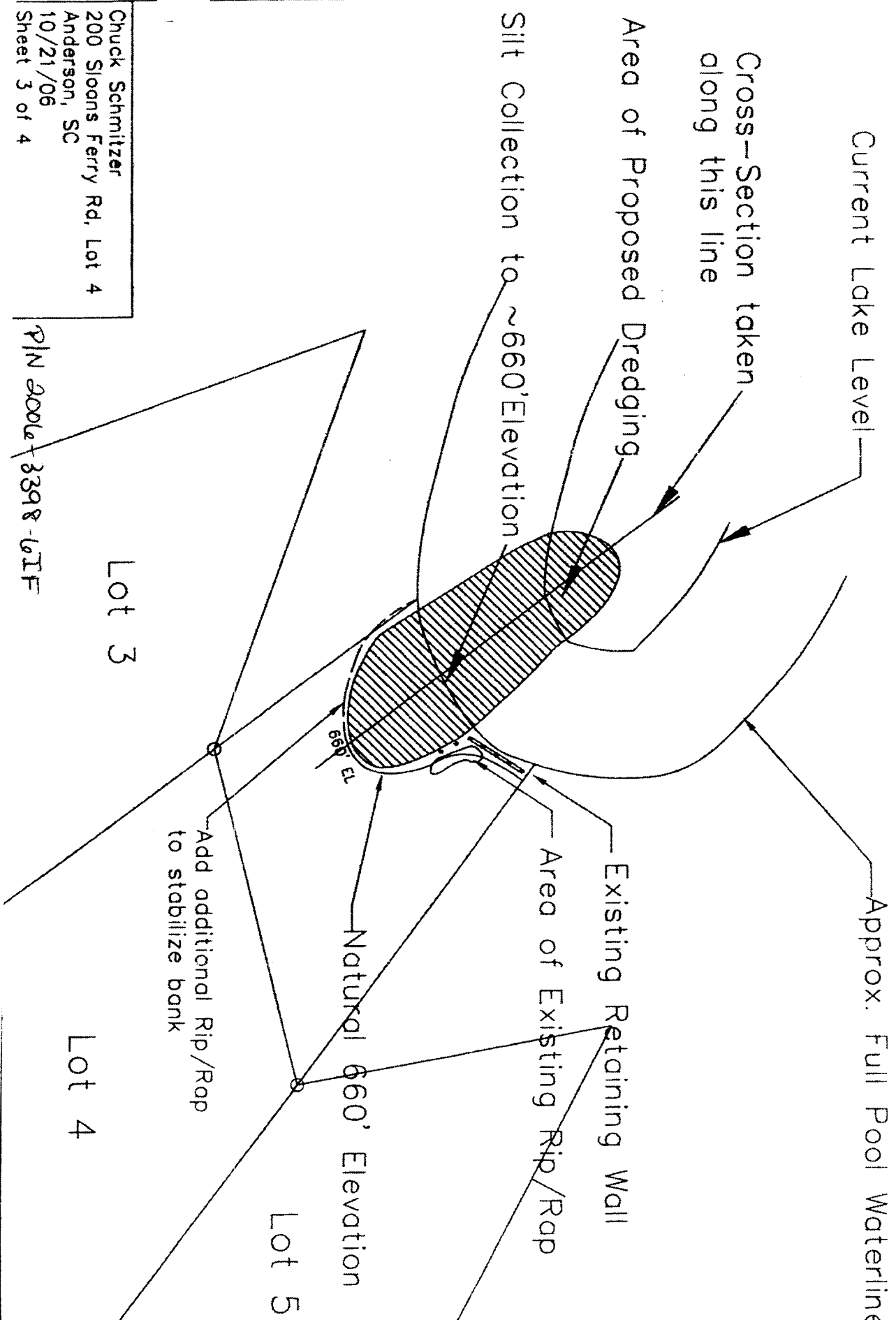
Chuck Schmitzer
200 Sloans Ferry Rd.
Anderson, SC
10/21/06
Sheet 1 of 4

P/N 2006-3398-6IF

General Layout of area Proposed Dredging Area



Detail of Proposed Dredging Area



Cross-Section of Proposed Dredging Area

